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SUBJECT: IMPEACHMENT RUMORS NO THREAT TO MUTHARIKA - YET

[1](#)1. SUMMARY. Members of Parliament (MPs) belonging to the United Democratic Front (UDF) and the Malawi Congress Party (MCP) reportedly plan to launch a bid to impeach President Bingu wa Mutharika, alleging that he violated the Constitution. While both parties might eventually bring a motion to impeach, it is unlikely to succeed, since neither the UDF nor the MCP can command the two-thirds required to indict and convict. END SUMMARY.

[1](#)2. The leaders of the United Democratic Front (UDF) and Malawi Congress Party (MCP) have reportedly engaged in talks aimed at impeaching President Bingu wa Mutharika. They claim that Mutharika has overstepped the constitutional limits of his office on several counts, including launching the billion-Kwacha Rural Development Fund without Parliamentary confirmation. They also allege that the President violated the constitution by allowing his appointee for head of the Malawi Police Service to take office without parliamentary confirmation. Sam Mpasu, the UDF spokesman, said that the MCP has researched the possible impeachment and has identified ten constitutional violations by President Mutharika. President Mutharika has responded to the accusations by stating that the UDF and MCP are simply attempting to retard his development plans and thwart his anti-corruption efforts.

[1](#)3. MCP and UDF Party leadership have sought to distance the parties from any discussion of impeachment, saying that members made such comments in their individual capacity. Though political alliances in Parliament remain unclear (Parliament is scheduled to re-convene on March 30) the lack of explicit party backing for impeachment is an early indicator that the motion would not receive much support. The Speaker of Parliament said in a recent media interview that impeachment is not on the official agenda for the upcoming session. According to Malawi's constitution, the President can only be indicted with a two-thirds majority vote in parliament, and a conviction would require the same margin. If successful, impeachment would put Vice President (and UDF loyalist) Cassim Chilumpha in power for at most ninety days, during which a presidential election would take place as required by the Constitution. Candidates from both the UDF and the MCP would then presumably be able to run again.

[1](#)4. COMMENT. UDF officials, still reeling from Mutharika's recent departure from the party, have raised impeachment as a possible method of climbing back to power. Limited MCP support for an impeachment motion would also be likely, largely due to allegations that the party was robbed of victory in last May's presidential election and to hopes that MCP's leader, John Tembo, could clinch a victory. While it is possible that such a motion could eventually be presented to Parliament, impeachment would be unlikely; most MPs are more rational than politically loyal, and political opportunism would likely induce most of them to side with the President. END COMMENT.

GILMOUR